

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services-Agriculture Department- Sri.D. Pandaiah, the then Assistant Director of Agriculture (Retd.) Amangal, Mahaboobnagar District – Suspension period treated as Not on Duty – Court case filed – Tribunal orders delivered - Regularizing the suspension period as “on duty - Orders- Issued.

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AGRICULTURE AND COOPERATION (VIG.I)DEPARTMENT

G.O.Rt.No. 337

Dated: 13. 03.09

Read the following:

- 1.G.O.Rt.No.438, Agriculture &Cooperation (Agri.II)Department,
Dated:06.04.1999**
- 2.G.O.Rt.No.773, Agriculture &Cooperation(Vig.I)Department,
Dated:14.08.2004**
- 3. Representation of Sri.D.Pandaiah the then Assistant Director of
Agriculture @ Amangal , Mahaboobnagar District,Dated:13.09.2004.**
- 4. G.O.Rt.No.456, Agriculture &Cooperation (Vig.I)Department,
Dated:6.5.2006**

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ORDER:

Shri D.Pandaiah, the then Assistant Director of Agriculture, (Retd.) , Amnagal, Mahabubnagar District for involving in the criminal case had been placed under suspension vide the reference 1st read above w.e.f 14.3.1999. Acquitted by the Hon'ble Lok-Adalat, Hyderabad on arriving to the compromise by the both sides in the case, he had been reinstated into service vide reference 2nd read above w.e.f 04.09.2004. The retired officer had sought the Government for regularizing the suspension period as 'on duty' since he had been acquitted in the criminal case. Since the acquittal had not been on merits, but the compromise, Government , in the reference 3rd read above, had regularized the period of the suspension from 14.3.1999 to 04.09.2004 as “Not on duty” ,

2. The retired officer, aggrieved by the orders of the Government, has filed O.A.No: 5144/2006 in the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad and prayed to set – aside the orders. Government in its counter affidavit had appraised the Hon'ble Tribunal that the acquittal considered by the Hon'ble Lok Adalat had been based not on merits, but the compromise arrived to by the both parties in the case and hence his regularization of suspension period could not be considered Hon'ble Tribunal, however, in its judgement in O.A.No: 5144/06 has observed that “ after the petitioner was reinstated into service from the suspension no departmental proceedings seems to be initiated against him for the alleged criminal misconduct. And that the incidence did not relate to the course of his employment and the criminal prosecution was initiated on a private complaint and that this was got compromised before the Lok Adalath thereby the petitioner was acquitted in the criminal misconduct as consequently.” Hon'ble Tribunal, therefore, has set aside the orders issued in the reference 4th read above, and directed the Government vide its judgment dated : 28.1.2008 to treat the suspension period as ‘ on duty’ with all consequential benefits and to revise the pension accordingly of the retired officer.

3. Government have carefully examined the orders of the Hon'ble Tribunal in the O.A.No: 5114/2006, Hyderabad and decided to implement the said orders of the Hon'ble Tribunal .

4. Government hereby regularize the suspension period from 14.3.1999 to 4.9.2004 as “on duty “ in respect of Shri D.Pandaiah, the then Assistant Director of Agriculture, (Retd.) , Amnagal, Mahabubnagar District.

(P.T.O)

5. *The Commissioner and Director of Agriculture, Hyderabad is requested to take necessary further action in the matter.*

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RACHEL CHATTERJEE
PRINCIPAL SECRETARY TO GOVERNMENT

To
*Shri D.Pandaiah, the then Assistant Director of Agriculture,
(Retd.) , Amnagal, Mahabubnagar District (Through the
Commissioner and Director of Agriculture, Hyderabad.)
The Commissioner and Director of Agriculture, Hyderabad.
SF/SC.*

//FORWARDED :: BY ORDER//

SECTION OFFICER